

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
MIAMI DIVISION**

**CASE NO. 22-CV-22538-ALTMAN/Reid**

PIERCE ROBERTSON, *et al.*, on behalf of  
themselves and all others similarly situated,

*Plaintiffs,*

v.

MARK CUBAN, *et al.*,

*Defendants.*

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**JOINT MOTION FOR A 30-DAY STAY OF THE CASE**

Plaintiffs, PIERCE ROBERTSON, *et al.*, and Defendants, MARK CUBAN and DALLAS BASKETBALL LIMITED d/b/a Dallas Mavericks (collectively “the Parties”), by and through their undersigned counsel, respectfully request the Court to enter a 30-day stay of all activity in the case, and state as follows:

1. Plaintiffs filed this action on August 10, 2022 [ECF No. 1] and filed an Amended Complaint on October 28, 2022 [ECF No. 34].
2. Defendants filed a Motion to Dismiss on November 18, 2022 [ECF No. 41].
3. On December 7, 2022, the Court entered an Order [ECF No. 58] setting forth a trial and pre-trial schedule (the “Scheduling Order”). On February 8, 2023, the Court issued an Order [ECF No. 105] altering the deadlines set forth in the Scheduling Order, moving back the deadlines for the exchange of expert reports and rebuttal expert reports.
4. On January 1, 2023, the Court entered an Order [ECF No. 72] granting Plaintiffs’ request to extend the deadline for responding to Defendants’ Motion to Dismiss and ordered that

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“Plaintiffs shall either respond to the Defendants’ Motion to Dismiss [ECF No. 41] or file an Amended Complaint by February 24, 2023,” which is tomorrow.

5. The parties request that the Court stay all discovery, motion practice, and all other activity in this case for 30 days. Further, the parties request the Court extend for 30 days all discovery deadlines and the deadline for Plaintiffs’ class certification motion, as set forth in the Court’s December 7, 2022 Scheduling Order, as amended through the Court’s February 8, 2023 Order [ECF No. 105] and the January 1, 2023 Order [ECF No. 72].

6. A 30-day extension of discovery deadlines and the deadline for Plaintiffs’ class certification motion, as set forth in the Scheduling Order, as amended through the Court’s February 8, 2023 Order [ECF No. 105] and the January 1, 2023 Order [ECF No. 72] extending Plaintiffs’ deadline to respond to the Motion to Dismiss or seek leave to file a second amended complaint, will result in the following revised schedule:

- ~~February 24, 2023~~ March 27, 2023<sup>1</sup> – Plaintiffs shall respond to Defendants’ Motion to Dismiss or seek leave to file a second amended complaint.
- ~~May 31, 2023~~ June 30, 2023 – The parties shall exchange expert witness summaries or reports.
- ~~June 14, 2023~~ July 14, 2023 – The parties shall exchange rebuttal expert witness summaries or reports.
- ~~July 5, 2023~~ August 4, 2023 – All discovery, including expert discovery, shall be completed.
- ~~July 19, 2023~~ August 18, 2023 – Plaintiffs shall file a motion for class certification.

WHEREFORE the Parties respectfully request the Court to stay the case for 30 days.

Dated: February 23, 2023.

Respectfully submitted,

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<sup>1</sup> Where a thirty-day extension would result in a weekend or holiday deadline, the deadline would be set for the next business day following the weekend or holiday. Thirty days from February 24, 2023 would be Sunday, March 26, 2023; therefore, the filing would be due on Monday, March 27, 2023.

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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the forgoing was filed on February 23, 2022, with the Court via CM/ECF system, which will send notification of such filing to all attorneys of record.

By: /s/ Stephen Neal Zack

Stephen Neal Zack